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Our Case No. 4660/5000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Larry J. Wilson

Serial No. 09/828,662

Filing Date: April 5, 2001

For: DECORATIVE CAPPED WHEEL-NUT
AND METHOD OF ASSEMBLY

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)
)
) Examiner: Flemming Saether
)
) Group Art Unit No. 3627
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)

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Commissioner for Patents
P.O. Box 1450
Alexandra, VA 22313-1450

**PETITION TO REVIVE
UNINTENTIONALLY ABANDONED
APPLICATION PURSUANT TO 37 CFR § 1.137(b)**

Dear Sir:

Under the provisions of 37 CFR § 1.137(b), applicant hereby petitions for revival of the above-identified application. The requisite petition fee, response to an outstanding action and petition for extension of the shortened statutory period (with extension fee) are attached hereto.

The application was unintentionally abandoned as a result of a misunderstanding between the client and undersigned counsel. The circumstances were as follows:

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on August 13, 2002, undersigned counsel received the USPTO action (a Final Rejection) dated August 8, 2002;

in September 2002, the inventor provided undersigned counsel with a disclosure for an improvement to the invention and instructions to file a continuation-in-part of the subject application;

undersigned counsel prepared and filed application Serial No. 10/303,564 on November 25, 2002, as a continuation-in-part of the above-identified application and incorporating the complete disclosure thereof;

having filed the continuation-in-part application, undersigned counsel permitted the above-identified application to go abandoned on February 9, 2003, believing that the client's instructions to file a continuation-in-part application implicitly authorized him to do so;

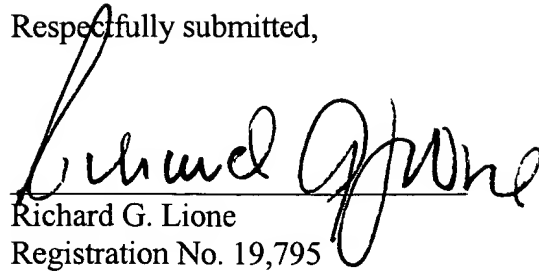
on or about August 2, 2004, the in-house patent counsel for the assignee of the above-identified application called me on behalf of the inventor to inquire about the status of the continuation-in-part application and the above-identified application;

I then advised house counsel that I had permitted the above-identified application to go abandoned, whereby he informed me that neither the inventor nor the Assignee had intended that to happen and, in fact, were unaware that the application had gone abandoned; and

house counsel then instructed me to proceed as soon as possible to prepare a response to the outstanding action and file a petition to revive the application.

Undersigned counsel submits that abandonment of the above-identified application was not intended by the applicant and assignee and that he mistakenly permitted the application to go abandoned. Since the pending continuation-in-part application contains the entire disclosure of the above-identified application, it is respectfully submitted that no public policy reasons exist for denying the Petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Lione", written over a horizontal line.

Richard G. Lione
Registration No. 19,795

Attorney for Applicant(s)

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